

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
U.S. COURTHOUSE
INDEPENDENCE MALL WEST
601 MARKET STREET
PHILADELPHIA, PA 19106-1797

MICHAEL E. KUNZ
CLERK OF COURT

CLERK'S OFFICE
ROOM 2609
TELEPHONE
(215) 597-7704

January 2, 2007

Peter T. Dalleco, Clerk
J. Caleb Boggs Federal Bldg.
Lockbox 18
844 North King Street
Wilmington, DE 19801-3570

MDL-875
IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION
C.A. 1:06-668 (Agee, et al)



Dear Clerk:

The enclosed Conditional Transfer Order (CTO-271) is being sent to you regarding the involved action. It has been properly identified as multidistrict litigation asbestos case. However, pursuant to the opinion and order of 7/29/91, 771 F.Supp. 415, our court is not accepting the original records and/or docket responsibility on the involved 93,000 actions.

Please do not forward the original record, certified docket entries and/or a certified copy of the transfer order to this District.

Please continue to process the litigation in your court, per the opinion, pretrial and administrative orders. If you have any questions please contact me at (267) 299-7019.

Sincerely,

MICHAEL E. KUNZ
Clerk of Court

Sharon Carter
MDL Coordinator

enclosure

A CERTIFIED TRUE COPY

DEC 27 2006

DOCKET NO. 875JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DEC 11 2006

FILED
CLERK'S OFFICEATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-271)**

On July 29, 1991, the Panel transferred 21,937 civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 771 F.Supp. 415 (J.P.M.L. 1991). Since that time, 81,567 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable James T. Giles.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Giles.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of July 29, 1991, and, with the consent of that court, assigned to the Honorable James T. Giles.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffery N. Lüthi
Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

DEC 27 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

A TRUE COPY CERTIFIED TO BE THE ORIGINAL

DATED: 12/27

ATTEST: *[Signature]*

OFFICE OF THE CLERK, UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

2007 JAN -5 PM 2:22

DISTRICT OF DELAWARE

RG
Scanned

SCHEDULE CTO-271 - TAG-ALONG ACTIONS
DOCKET NO. 875
IN RE ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|-------------------------------|--|
| ALABAMA NORTHERN | |
| ALN 2 06-1855 | Melba Brooks v. A.W. Chesterton Co., et al. |
| CALIFORNIA NORTHERN | |
| CAN 3 06-5381 | Matt Hussey, et al. v. General Electric Co., et al. |
| DELAWARE | |
| DE 1 06-668 | Betty Agee, et al. v. A.W. Chesterton, Inc., et al. |
| DE 1 06-673 | Lillian Harwood, et al. v. Bondex International Inc., et al. Opposed 12/26/06 |
| INDIANA NORTHERN | |
| INN 2 06-307 | John Cunningham v. General Electric Co., et al. |
| LOUISIANA EASTERN | |
| LAE 2 06-9439 | Peggy P. Griffin v. Northrop Grumman Industries, et al. Vacated 12/19/06 |
| LOUISIANA MIDDLE | |
| LAM 3 06-458 | Cletus Brewer v. Noble Drilling Corp., et al. Opposed 12/27/06 |
| MARYLAND | |
| MD 1 06-2667 | William Miles v. Owens-Illinois Glass Co., et al. |
| MISSISSIPPI NORTHERN | |
| MSN 3 06-134 | Patricia Wright, etc. v. Budd Co., et al. |
| MISSISSIPPI SOUTHERN | |
| MSS 1 06-1064 | Robert Breazeale v. Allied Signal, Inc., et al. |
| MSS 1 06-1065 | Ray Lee Regan v. Allied Signal, Inc., et al. |
| MSS 1 06-1066 | James W. Nations v. Allied Signal, Inc., et al. |
| MSS 1 06-1067 | Ronald E. Nations v. Allied Signal, Inc., et al. |
| MSS 1 06-1068 | Malcolm Montgomery v. Allied Signal, Inc., et al. |
| MSS 1 06-1070 | Harry Lambert v. Emerson Electric Co., et al. |
| MSS 1 06-1071 | Lionel Anderson v. William Powell International Sales Corp., et al. |
| MSS 1 06-1074 | Tina Fitzgerald, etc. v. American Standard, Inc., et al. |
| MSS 1 06-1075 | Curtis Lee Jones v. Allied Signal, Inc., et al. |
| MSS 1 06-1076 | O'Neal Chambers, Jr., etc. v. American Standard, Inc., et al. |
| MSS 1 06-1089 | Robert Copeland v. General Electric Co., et al. |
| MSS 1 06-1096 | Charles R. Rester v. Metropolitan Life Insurance Co., et al. |
| MSS 1 06-1147 | George Moore v. Ingersoll-Rand Co., et al. |
| NORTH CAROLINA EASTERN | |
| NCE 4 06-189 | Van Crawford, et al. v. AMCA/KOEHRING Co., et al. |
| NCE 4 06-202 | Johnnie P. Lee, et al. v. 3M Co., et al. |
| NCE 4 06-207 | Angela Michelle Covington, etc. v. Anchor Packing Co., et al. |
| NCE 4 06-208 | Freda C. Wells, etc. v. A.W. Chesterton, Inc., et al. |
| NCE 4 06-215 | Roland Delos Cady, et al. v. Albany International Corp., et al. |
| NCE 4 06-216 | Archie Clarence Forrester, et al. v. Albany International Corp., et al. |

SCHEDULE- CTO-271 - TAG-ALONG ACTIONS - MDL-875

Page 2 of 3

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|-------------------------------|--|
| NCE 4 06-217 | Elizabeth A. Phelps, etc. v. Albany International Corp., et al. |
| NCE 5 06-342 | Walker H. Lee v. 3M Co., et al. |
| NCE 5 06-391 | Catherine Ruth Gailloux, etc. v. Anchor Packing Co., et al. |
| NCE 5 06-407 | Louise Julyan Stanyer, etc. v. Anchor Packing Co., et al. |
| NCE 5 06-420 | Abel Laberge, et al. v. Anchor Packing Co., et al. |
| NCE 5 06-431 | Bryan Edward Zapf, et al. v. Anchor Packing Co., et al. |
| NCE 5 06-432 | Harold John Hildebrandt v. Anchor Packing Co., et al. |
| NCE 5 06-435 | Josie Bergeron, etc. v. Anchor Packing Co., et al. |
| NORTH CAROLINA MIDDLE | |
| NCM 1 06-924 | Patrick H. O'Connor, etc. v. DaimlerChrysler Corp., et al. |
| NCM 1 06-935 | Allen W. Craver, et al. v. 3M Co., et al. |
| NCM 1 06-958 | Gerald W. Sheets v. 3M Co., et al. |
| NORTH CAROLINA WESTERN | |
| NCW 1 06-327 | Charles Anthony Bynum, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-328 | Albert Eugene Dellinger, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-330 | Ernest James Cornelius, Jr., et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-331 | Ronald David Hamilton, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-332 | Douglas Eugene Funderburk, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-334 | James P. Butts, et al. v. 3M Co., et al. |
| NCW 1 06-337 | Hal Terry Byers v. Aqua-Chem, Inc., et al. |
| NCW 1 06-338 | Billy Grissett v. Aqua-Chem, Inc., et al. |
| NCW 1 06-339 | William Jerry Hamby v. Aqua-Chem, Inc., et al. |
| NCW 1 06-340 | Clarence Douglas Hunt, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-342 | J.C. Beaver, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-343 | Jerry Lee Hand, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-344 | Jerry Thomas Miller, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-345 | William David Hux, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-346 | Thomas H. Smart v. 3M Co., et al. |
| NCW 1 06-348 | Jerry Odell Wilson, Jr. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-349 | Judy Irene Boggs-Greer v. Aqua-Chem, Inc., et al. |
| NCW 1 06-351 | John Ashley Wright, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-352 | Roger Lee Perryman, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-353 | Owen Edward Johnson v. Aqua-Chem, Inc., et al. |
| NCW 1 06-354 | Ronald Edward Bland, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-356 | Rickey Lynn Nance, et al. v. Aqua-Chem, Inc., et al. |
| NCW 1 06-358 | Charles E.A. Ballard v. Aqua-Chem, Inc., et al. |
| NCW 1 06-364 | Raymond B. Simpson, et al. v. 3M Co., et al. |
| NCW 1 06-369 | Steven R. Patterson, et al. v. 3M Co., et al. |
| NEBRASKA | |
| NE 8 06-639 | Mervin Sipp v. BNSF Railway Co. |
| NE 8 06-640 | Earl Motschenbacher v. BNSF Railway Co. |
| NE 8 06-641 | Ivan Boettner v. BNSF Railway Co. |
| NE 8 06-642 | James Anderson v. BNSF Railway Co. |
| NEW JERSEY | |
| NJ 2 06-4899 | Malcolm Hagen, et al. v. Benjamin Foster Co., et al. |
| NEW MEXICO | |
| NM 1 05-416 | Frank Torres v. Burlington Northern & Santa Fe Railway Co. |
| NM 1 06-915 | Mauricio R. Gabaldon v. Burlington Northern & Santa Fe Railway Co. |

SCHEDULE- CTO-271 - TAG-ALONG ACTIONS - MDL-875

Page 3 of 3

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|-----------------------------|--|
| NEW YORK EASTERN | |
| NYE 1 06-5563 | Paula I. Guillory v. A.W. Chesterton Co., et al. |
| OHIO NORTHERN | |
| OHN 1 06-10007 | Harry E. Hawkins v. A-c Product Liability Trust, et al. |
| PENNSYLVANIA WESTERN | |
| PAW 2 06-1388 | Frank J. Suloff v. Consolidated Rail Corp., et al. |
| SOUTH CAROLINA | |
| SC 8 06-2885 | Donald Lee Brooks, et al. v. Aqua-Chem, Inc., et al. |
| SC 8 06-2896 | Maurice Ira Phillips, et al. v. Aqua-Chem, Inc., et al. |
| TEXAS WESTERN | |
| TXW 6 06-299 | Donna David, etc. v. Alcoa, Inc. |
| VIRGINIA EASTERN | |
| VAE 2 06-9060 | Paul Allen v. American Standard, Inc., et al. |
| VAE 2 06-9061 | Carlton M. Beckman v. American Standard, Inc., et al. |
| VAE 2 06-9062 | Michael J. Bell v. American Standard, Inc., et al. |
| VAE 2 06-9063 | Phillip Bodine v. American Standard, Inc., et al. |
| VAE 2 06-9064 | Charles F. Brant v. American Standard, Inc., et al. |
| VAE 2 06-9065 | William E. Busby v. American Standard, Inc., et al. |
| VAE 2 06-9066 | Odell J. Malone v. American Standard, Inc., et al. |
| VAE 2 06-9067 | Dionico Sais v. American Standard, Inc., et al. |
| VAE 2 06-9068 | Samuel E. Crane v. American Standard, Inc., et al. |
| VAE 2 06-9069 | Jon W. Foster v. American Standard, Inc., et al. |
| VAE 2 06-9070 | Monroe v. American Standard, Inc., et al. |
| VAE 2 06-9071 | Earl J. Murphy v. American Standard, Inc., et al. |
| VAE 2 06-9072 | William H. Sheppard v. American Standard, Inc., et al. |
| VAE 2 06-9073 | James W. Bell v. American Standard, Inc., et al. |
| VAE 2 06-9074 | Stewart C. Brennan v. American Standard, Inc., et al. |
| VAE 2 06-9075 | Larry G. Brown v. American Standard, Inc., et al. |
| VAE 2 06-9076 | Frank L. Johnson v. American Standard, Inc., et al. |
| VAE 2 06-9077 | Monroe v. American Standard, Inc., et al. |
| VAE 2 06-9078 | Leonard S. Olson v. American Standard, Inc., et al. |
| WASHINGTON WESTERN | |
| WAW 2 05-1250 | Steven D. McAboy, etc. v. Viad Corp. |
| WAW 2 06-369 | Clint Johnson, etc. v. IMO Industries, Inc., et al. |
| WISCONSIN EASTERN | |
| WIE 2 06-397 | Byron Bessers v. International Paper Co., et al. |
| WIE 2 06-1076 | Janet Schucler, etc. v. American Optical Corp. Opposed 12/26/06 |